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U.S. MAGISTRATE JUDGE

BY _____

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FILED
2020 MAR 18 PM 4:50
U.S. MAGISTRATE JUDGE

BY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BILLY JOE WEST,

Defendant.

Case No. 2:20-mj-00217-DJA

**Government's Motion to Seal
Complaint**

(Filed Under Seal)

The United States of America, by and through Nicholas A. Trutanich, United States Attorney, and Jessica Oliva, Assistant United States Attorney, respectfully moves this Honorable Court for an Order sealing the Complaint, together with this Motion and the Court's Sealing Order, in the above-captioned matter until such time as the Court, or another Court of competent jurisdiction, shall order otherwise.

It is necessary for the Complaint in this case to be sealed in light of the fact that it makes reference to information regarding an on-going investigation. Public disclosure of the information in the Complaint might possibly jeopardize the investigation because Defendant Billy Joe West is not yet in custody. West is currently on state probation, and he failed to attend his last scheduled meeting with his state Probation officer. In addition, West is charged with defrauding the federal Probation Office, by accepting a bribe from an

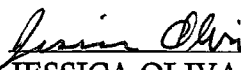
1 offender on federal supervision in exchange causing his co-worker to falsely report a
2 negative drug test to Probation for that offender. Given West's demonstrated disrespect for
3 the obligations imposed by courts—both on himself and on others—West poses a risk of
4 flight or otherwise attempting to evade law enforcement should he learn of this charge
5 before he is arrested.

6 Moreover, as an employee of the company that conducts drug testing for Probation,
7 West has access to testing records. To the extent West is accepting bribes from additional
8 offenders unknown to the Government, West could access and alter or destroy evidence of
9 those crimes or instruct his co-workers to do so if he learns of this charge before he is
10 arrested. Additionally, West has called and texted the offender in connection with the
11 charged conduct. The Government is seeking a warrant to search West's cellular phone for
12 evidence of co-conspirators and additional offenders whose test results West altered. Should
13 West learn of this charge, there is a substantial risk that he will wipe his phone or otherwise
14 destroy the evidence of these communications.

15 To facilitate West's arrest, the Government respectfully requests that this Court grant
16 the Government's motion and seal the Complaint in this case, as well as this Motion and
17 the Court's Order on this Motion.

18 DATED this 18th day of March, 2020.

19 Respectfully submitted,
20 NICHOLAS A. TRUTANICH
United States Attorney

21 
22 JESSICA OLIVA
Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FILED
MAR 18 PM 4:51

U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA,

Case No. 2:20-mj-00217-DJA

Plaintiff,

v.

BILLY JOE WEST,

Defendant.

[Proposed] Order Granting Government's Motion to Seal Complaint

(Filed Under Seal)

Based on the pending Motion of the Government, and good cause appearing, IT IS
HEREBY ORDERED that the Complaint, the Motion, and this Court's Sealing Order in
the above-captioned matter shall be sealed until further Order of the Court.

DATED this 18th day of March, 2020.


HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE